



# United States Department of the Interior

NATIONAL PARK SERVICE  
Pacific West Region  
1111 Jackson Street, Suite 700  
Oakland, California 94607-4807



IN REPLY REFER TO:

A 7221 (PWR-PA)

SEP 24 2010

Mr. Ken Miguel  
KGO-TV, ABC, Inc.  
900 Front Street  
San Francisco, CA 94111

Dear Mr. Miguel:

This is the final response to your Freedom of Information Act (FOIA) request dated June 11, 2010, which you sent to Holly Bundock at the Pacific West Regional Office. As noted in the initial response, Ms. Bundock has retired and regional staff worked with staff at Point Reyes National Seashore to respond to your request. The Department of the Interior tracking number for this request is NPS-2010-00755. Please include this number in future correspondence regarding your request.

You requested documents related to Point Reyes National Seashore including: a variety of documents and communications related to cameras in the Drake's Estero of Point Reyes National Seashore (Items 1 through 5); copies of photos taken from these cameras (Items 6 and 7); reports or documents for harbor seal population from 2006 to present (Item 8); and communications between National Park Service (NPS) staff and the Lunny Family from 2006 to present.

On July 7, 2010, Acting Regional Director George J. Turnbull sent you a letter requesting clarification on two items in your request, and proposing technical options for delivering copies of approximately 250,000 electronic photographic images. On July 13, 2010, in an electronic mail to Acting FOIA Officer Kevin Killeen, you provided the requested clarification and agreed to also provide a portable hard drive onto which the park could copy the electronic photographs.

On August 2, 2010, the park sent you copies of the images you requested (Items 6 and 7) on the portable hard drive you provided. On September 13, 2010, you were sent a second interim response including records associated with the installation and use of wildlife observation cameras (Items 1-5), and harbor seal data and documents (Item 8).

Enclosed with this letter is correspondence between the NPS and Kevin Lunny, Nancy Lunny, and the Drakes Bay Oyster Company (DBOC) (Item 9). One of the documents (approximately 25 pages) contains proprietary DBOC business information. Mr. Lunny was contacted regarding the release of this document and he requested that we not share it. Therefore, pursuant to exemption 4 of the FOIA (5 U.S.C. 552(b)(4)) which permits an agency to withhold confidential financial information obtained from a person that is privileged, the document is being withheld.



In addition, certain records contain personal telephone numbers and electronic mail addresses which have been redacted. The Department maintains that the individuals identified in the records have privacy interests in withholding this information. We do not perceive nor have you enunciated any public interest that would be served in disclosing this data, which would outweigh the privacy interests of the subject individuals. The release of the individuals' names, addresses, telephone numbers, and/or electronic mail addresses would be a violation of their privacy. Therefore, NPS is withholding this information under exemption 6 of the FOIA (5 U.S.C. 552(b)(6)), which permits an agency to withhold "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

If you consider this response a denial, you have the right to appeal the decision by writing to the Freedom of Information Act Appeals Officer, Department of the Interior, 1849 C Street NW, MS-7456, MIB, Washington, D.C. 20240. Your appeal must be in writing and received no later than 30 workdays after you have received our final response letter. A copy of your original request and this letter should accompany the appeal, as well as a brief statement of the reasons why you believe the initial decision to be in error. The appeal should be marked "Freedom of Information Appeal" both on the envelope and the face of the letter.

Alternatively, as part of the 2007 OPEN Government Act FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services (OGIS)  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Phone: 301-837-1996  
Fax: 301-837-0348  
Toll-free: 1-877-684-6448

In addition to myself, Attorney Advisor Deborah Bardwick and Acting FOIA Officer Kevin Killeen participated in this decision. If you have questions about the processing of your FOIA request, Mr. Killeen can be reached at 206-220-4051.

Sincerely,



Christine S. Lehnertz  
Regional Director, Pacific West Region

Enclosures

cc: Kevin and Nancy Lunny